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FILED

DISTRICT COURT OF GUAM

MAR 10 2006

MARY L.M. MORAN
CLERK OF COURT

8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE TERRITORY OF GUAM**

11
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 RAYMOND N. ATOIGUE,

16 Defendant.

CRIMINAL CASE NO. 05-00035

**AMENDED FINAL ORDER OF
FORFEITURE**

17
18 **WHEREAS**, on August 31, 2005, this Court entered a Preliminary Order of Forfeiture
19 forfeiting the following accounts:

- 20 1) Bank of Guam Account No. 0201-336968
21 2) Bank of Guam Account No. 0222-012676
22 3) Bank of Guam Account No. 0201-568106,

23 the properties of defendant Raymond N. Atoigue and the signatories to the accounts, Teresita M.
24 Moffett, Mary J. Guerrero, and Marlene M. Mesa, to the United States of America;

25 **AND WHEREAS**, on October 2, 2005, October 9, 2005 and October 16, 2005, the
26 United States published in a newspaper of general circulation, notice of this forfeiture and of the

1 intent of the United States to dispose said property in accordance with the law and further
2 notifying all third parties of their right to petition the Court within thirty (30) days for a hearing
3 to adjudicate the validity of their alleged legal interest in the property;

4 **AND WHEREAS**, the United States sent notice to the respective signatories on the
5 above-listed accounts, Teresita M. Moffett, Mary J. Guerrero, and Marlene M. Mesa, notifying
6 them of their right to petition the Court within thirty (30) days for a hearing to adjudicate the
7 validity of their alleged legal interest in the property;

8 **AND WHEREAS**, the Court has been advised that no such petitions have been filed.

9 Accordingly, it is hereby **ORDERED, ADJUDGED and DECREED** that the United
10 States Marshal shall forthwith seize the forfeited property and dispose of it in accordance with
11 the law;

12 It is further **ORDERED, ADJUDGED and DECREED**:

13 That pursuant to Title 21, United States Code, Section 853(n), that the right, title and
14 interest to all of the hereinafter described properties are hereby condemned, forfeited and vested
15 in the United States of America, and shall be disposed of according to law:

16 **a) Bank of Guam Account No. 0201-336968**

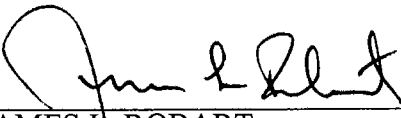
17 **b) Bank of Guam Account No. 0222-012676**

18 **c) Bank of Guam Account No. 0201-568106**

19 That any and all forfeited funds, including but not limited to currency, currency
20 equivalents and certificates of deposit, as well as any income derived as a result of the United
21 States Marshals management of any property forfeited herein, and the proceeds from the sale of
22 any forfeited property, after the payment of costs and expenses incurred in connection with the
23 forfeiture, sale and disposition of the forfeited property, shall be deposited forthwith by the
24 United States Marshal Service into the Department of Justice Asset Forfeiture Fund in
25 accordance with Title 28, United States Code, Section 524(c) and Title 21, United States Code,
26 Section 881(e).

1 The Clerk is hereby directed to send copies of this Order to all counsels of record and
2 three certified copies to the United States Marshal Service.

3 DATED this 10th day of March, 2006.

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6 JAMES L. ROBART
7 Designated Judge
8 District Court of Guam
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